IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

FRIDAY, THE 19TH OCTOBER 2007 / 27TH ASWINA 1929

Crl.MC.No. 3051 of 2007()

CRIME NO.3/2007 OF CHITTUR EXCISE RANGE

PETITIONER: 3RD ACCUSED

SUNILKUMAR, S/O. PAVITHRAN, AGED 41 YRS,
HOUSE NO.22/981, NIKARTHIYIL, EDAKOCHI,
COCHIN-682 006.

BY ADV. SRI.R.REJI

RESPONDENTS: STATE

STATE OF KERALA - REPRESENTED BY THE
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM, REPRESENTING THE EXCISE INSPECTOR,
CHITTUR EXCISE RANGE.

BY PUBLIC PROSECUTOR SRI.M.S.BREEZ

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON 19/10/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J.

Crl.M.C.No.3051 of 2007

Dated this the 19th day of October 2007

O R D E R

The petitioner has come to this court with a prayer that the conditions imposed on him when he was enlarged on bail by the learned Sessions Judge which includes the condition that he must make himself available before the investigating officer between 10 and 1 p.m on all Mondays and Thursdays until the final report is filed may be modified.

2. The order granting bail was passed on 9/7/2007. The petitioner had later approached the learned Sessions Judge for modification of the said condition; but the learned Sessions Judge, by order dated 20/9/2007 had turned down the said prayer.

3. The learned counsel for the petitioner prays, the learned Public Prosecutor does not oppose the said prayer and I am satisfied that the said condition can now be modified. I agree with the learned Public Prosecutor that it is too early to delete the said condition altogether considering the nature and magnitude of the offence committed in the case.

4. This petition is accordingly allowed in part. The petitioner need hereinafter appear before the investigating officer between 10 a.m and 11 a.m on the first and third Mondays of all English Calender months until the final report is filed.

(R.BASANT, JUDGE)

jsr

// True Copy// PA to Judge

R.BASANT, J.

CRL.M.CNo.

ORDER

21ST DAY OF MAY2007